

AGENDA

MALVERN CITY COUNCIL
Monday, April 11, 2016
CITY HALL COURTROOM, 7:00 P.M.

I. CALL THE MEETING TO ORDER

II. INVOCATION

A. Rev. Rex Smith, Superannuate Minister at Bethel AME

III. ROLL CALL

IV. APPROVE MINUTES OF PREVIOUS MEETING

A. March 14, 2016

V. ACKNOWLEDGE RECEIPT OF DEPARTMENTAL REPORTS

- A. Financial Statement*
- B. Street Department Report*
- C. CEO/Fire Department Reports*
- D. Police Report*
- E. Water Department Report*
- F. LifeNet Report*

VI. OLD BUSINESS

VII. NEW BUSINESS

- A. Approve 2015 Malvern Water Works Audit Report*
- B. Extend Contract with Turner, Rodgers, Manning and Plyler, PLLC for 2016 Water Department Audit*
- C. Adopt 2015 Clean Up Ordinance*
- D. Adopt Condemnation Resolution (1116 Mississippi, 218 Stanley, 244 Keith)*
- E. Approve Lease Agreement for Parking Lot at Page & Main Streets with First United Methodist Church*

VIII. CITIZENS WISHING TO APPEAR

A. Paul Wayne Butler, Exie Carroll, Ronald Johnson

IX. MAYOR REPORTS

X. ADJOURNMENT

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Held in the City Hall Courtroom

Monday, April 11, 2016

The Malvern City Council met for its regular monthly meeting on Monday, April 11, 2016 at 7:00 p.m. in the City Hall Courtroom. Mayor Brenda Weldon called the meeting to order and welcomed everyone to the meeting. Present for the meeting were Council members Mary Fraction, Lynn Davis, J. Wayne Reynolds, Peggy Lusinger, Robin Halbert, Larry Stiles and David Cross with William Wilson absent. Also present were City Clerk/Treasurer Phyllis Dial and City Attorney Cecilia Ashcraft. Mayor Weldon declared a quorum present. The invocation and pledge of allegiance were led by Rev. Rex Smith, Superannuate Minister at Bethel AME Church.

A motion was made by Fraction, seconded by Reynolds to adopt the minutes of the previous regular meeting held on March 14, 2016. Voting for the motion were Aldermen Fraction, Davis, Reynolds, Halbert, Lusinger, Stiles, and Cross with Wilson absent. All present voting for motion carried.

Monthly departmental reports were considered. A motion was made by Davis seconded by Fraction to accept departmental reports as posted. Alderman Reynolds asked about the report from LifeNet, and it was noted that their report is a month behind and it was included in the February reports. Voting for the motion were Aldermen Fraction, Davis, Reynolds, Halbert, Lusinger, Stiles, and Cross with Wilson absent. All present voting for motion carried.

There was no old business to come before the Council.

Under new business, a motion was made by Council Member Reynolds, seconded by Fraction to approve the Malvern Water Works Audit report as presented by the firm of Turner, Rodgers, Manning & Plyler. The audit was reviewed by the Finance Committee at their meeting on April 4, 2016. Voting for the motion were Aldermen Fraction, Davis, Reynolds, Halbert, Lusinger, Stiles, and Cross with Wilson absent. All present voting for motion carried.

A motion was made by Alderman Cross, seconded by Stiles to extend the contract with Turner, Rodgers, Manning & Plyler for an additional year to conduct the 2016 Water Work audit. Voting for the motion were Aldermen Fraction, Davis, Reynolds, Halbert, Lusinger, Stiles, and Cross with Wilson absent. All present voting for motion carried.

Alderman Reynolds introduced an ordinance amending Ordinance 2015-02 and the city's 2015 budget. The Clerk read the ordinance for its first reading. A motion was made by Fraction, seconded Reynolds to suspend the rules and place the ordinance on its second reading by title only. Voting for the motion were Aldermen Fraction, Davis, Reynolds, Halbert, Lusinger, Stiles, and Cross with Wilson absent. All present voting for motion carried and the Clerk read the ordinance for its second reading by title only. A motion was made by Fraction, seconded by Reynolds to suspend the rules and place the ordinance on its third and final reading by title only. Voting for the motion were Aldermen Fraction, Davis, Reynolds, Halbert, Lusinger, Stiles, and Cross with Wilson absent. All present voting for motion carried and the ordinance was read for the third and final time by title only. A motion was made by Stiles, seconded by Reynolds to adopt the ordinance. Voting for the motion were Aldermen Fraction, Davis, Reynolds, Halbert, Lusinger, Stiles, and Cross with Wilson absent. All present voting for motion carried and the ordinance was declared adopted and assigned No. 2016-04. A motion as made by Stiles, seconded by Fraction to adopt the ordinance's emergency clause. Voting for the motion were Aldermen Fraction, Davis,

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Reynolds, Halbert, Lusinger, Stiles, and Cross with Wilson absent. All present voting for motion carried and the emergency clause was declared adopted.

ORDINANCE NO. 2016-04

AN ORDINANCE AMENDING ORDINANCE NO. 2015-02 AND THE BUDGET FOR THE CITY OF MALVERN FOR THE YEAR 2015, DECLARING AN EMERGENCY

Council Member Reynolds introduced a resolution condemning the structures located at 1116 Mississippi, 218 Stanley, and 244 Keith streets in the City as recommended by the Code Enforcement Department. The Clerk read the resolution. A motion was made by Stiles, seconded by Fraction to approve the resolution. Voting for the motion were Aldermen Fraction, Davis, Reynolds, Halbert, Lusinger, Stiles, and Cross with Wilson absent. All present voting for motion carried and the resolution was assigned No. 04-2016.

RESOLUTION NO. 04-2016

A RESOLUTION DECLARING CERTAIN PROPERTIES IN THE CITY OF MALVERN, ARKANSAS AS UNFIT AND UNSAFE STRUCTURES

Mayor Weldon reported that the First United Methodist Church has obtained the old pink building near the corner of Main and Page Streets. It had been purchased, but proved too costly to renovate and became the property of the Church. Their plan is to demolish that building, the old READ building, and the old service station at the corner of Page and Ash Streets to make a parking lot. They have asked the city to lease them the strip of land that belongs to the City adjacent to the pink building. Their plan for a parking lot may also include a "green area". A motion was made by Reynolds, seconded by Fraction to approve the lease for the strip of land owned by the City to the First United Methodist Church. Voting for the motion were Aldermen Fraction, Davis, Reynolds, Halbert, Lusinger, Stiles, and Cross with Wilson absent. All present voting for motion carried.

Under Citizens Wishing to Appear, Mayor Weldon recognized Jeremy McKenzie, executive director of Covenant Recovery who said he just wanted to let the Council know some of the things they are trying to do in the community. He said that he is grateful for the support from the Council and the community. There have been no problems or complaints that he is aware of, and they have adopted Section Line and some other areas to keep free of trash and debris. He stated that he has been working with Ms. Jasper and Ms. Williams in Ward 1 and that there are several projects planned to clean up in that area, beginning this Saturday with the Ridge Road area. On April 30, they will be working in the East End area, and on May 14 in the Bryant Addition. He encouraged people to come out and help on those days and to contact him with other community areas that would like to work with them. He stated that they had been at the Animal Shelter and really enjoyed working with the animals. He again thanked the Council and community for their support.

Mayor Weldon recognized Mr. Paul Wayne Butler. Mr. Butler stated that he lives on Pecan Street and there are some serious issues that have been going on for over a year. He stated that the issues are obvious and feels they should have been resolved by now and that he should not have had to bring it to the Council. After being asked for more information, Mr. Butler said that there is excessive noise and blocking the street at 516 W. Third Street and that he has called repeatedly and nothing has been done about it. Chief of Police Taber

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stated that Mr. Butler has alleged that there are loud noises and racing of cars, but his officers have been down there several times and cannot find anything going on. He also presented a log that he said shows that there had been no complaint calls about that area. He said that he had officers in that area last week after the Finance/Agenda meeting, but that they could find nothing. Mr. Butler said that he had called Assistant Chief Bailey several times and that he even had Officer Bailey's cell phone number. Taber stated that he could only find one call from 9-1-1 in the past year. He stated that he did go by and speak to an elderly lady in the area who told him that she was concerned and that she had called one time about the problem. Mr. Robert Johnson stated that the problem is between Pecan and Oak, and many times the street is blocked and there are kids on 4-wheelers that make it impassable. Mayor Weldon asked Chief Taber to make sure his officers are patrolling the area often and regularly. She asked the citizens to make sure their calls are through 9-1-1 so that they will be logged and recorded. She stressed that the City is concerned for the safety and well-being of the people in that area.

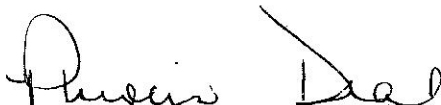
Under Mayor Reports, Mayor Weldon stated that their packets contained some pictures of the I-30 Bridge across the river and the city's water and sewer lines that extend across the bridge. The brackets are breaking and must be fixed. She stated that Water Works Manager David Coston is in the process of obtaining some bids for the cost of repairing or replacing the brackets.

Mayor Weldon reported that the Ouachita River Park Commission received two grants in 2014 to work on the water features of the river, but that project was not going to be feasible, and so the grants have been repurposed to construct dressing rooms adjacent to the restrooms at the park and perhaps construct more parking. She stated that she is finishing up the paperwork on that right now, but is not sure who administers the grant or monitors the project - the Commission or the City. Alderman Stiles stated that he feels pretty sure the City oversees the receipt and payments for the grant money but the Mayor advised the council that she will be researching further who monitors the work performed under the grant.

Mayor Weldon also reported that Ms. Ault had contacted her and offered to sell the city the building located on Third Street next door to the one the City just purchased. She said that she would sell it very reasonably and would not list the property until the City had the chance to discuss purchasing it. Mayor Weldon also reported that with the heavy rains today, the windows in the Code Enforcement office were leaking and the window sills may have to be replaced. The walls and the floor were wet and possibly damaged.

There being no further business to come before the Council and upon a motion by Reynolds, seconded by Stiles to adjourn. Mayor Weldon declared the meeting adjourned.


Brenda J. Weldon, Mayor


Phyllis Dial, City Clerk/Treasurer